

June 22, 2009

TO: Members of the MAG Regional Council

FROM: Councilwoman Peggy Neely, Phoenix, Chair

SUBJECT: **REVISED - MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA**

Meeting - 5:00 p.m.
Wednesday, June 24, 2009
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
June 24, 2009**

COMMITTEE ACTION REQUESTED

1. <u>Call to Order</u>	
2. <u>Pledge of Allegiance</u>	
3. <u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4. <u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Regional Council on activities of general interest.	4. Information and discussion.
5. <u>Approval of Consent Agenda</u> Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).	5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of the May 27, 2009, Meeting Minutes</u>	5A. Review and approval of the May 27, 2009, meeting minutes.
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TRANSPORTATION ITEMS***5B. Draft Fiscal Year (FY) 2010 Arterial Life Cycle Program (ALCP)**

The Regional Transportation Plan (RTP) identifies 94 arterial street projects to receive funding from the regional sales tax extension and from MAG federal funds. The Arterial Life Cycle Program (ALCP) provides information for 93 of the original 94 projects spanning a 20-year life cycle. Information contained in the ALCP includes project location, regional funding, fiscal year (FY) of work, type of work, status of project and the lead agency. As part of the ALCP process, Lead Agencies update project information annually, at a minimum. MAG staff has programmed the Draft FY 2010 ALCP based on the information provided by Lead Agencies and from projected revenue streams from the Regional Area Road Fund (RARF), MAG Surface Transportation Program funds (STP-MAG), and Congestion Mitigation and Air Quality (CMAQ) funds. The Transportation Review Committee and the Management Committee recommended approval of the Draft FY 2010 Arterial Life Cycle Program. This item is on the June 17, 2009, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

***5C. Project Changes – Amendment and Administrative Modification to the FY 2008-2012 MAG Transportation Improvement Program**

The fiscal year (FY) 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan 2007 Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. The majority of the requested changes are related to modifying transit projects and the costs related to 2009. These modifications are needed to match the transit grant applications. The other requested project changes involve adding three new federal-aid Safe Routes to School projects, modifying costs for

5B. Approval of the Draft FY 2010 Arterial Life Cycle Program contingent on a new Finding of Conformity for the Regional Transportation Plan 2010 Update and FY 2010-2014 MAG Transportation Improvement Program, which will be finalized in January 2010.

5C. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update, as shown in the attached tables.

American Recovery and Reinvestment Act funded projects, modifying the project schedule for ADOT led projects, including projects related to the federal FY 2009 Closeout, and doing the technical amendment to add the Phoenix Sky Train project into the TIP. These requests were recommended for approval by the Transportation Review Committee and the Management Committee. This item is on the June 17, 2009, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

*5D. Update to the Federal Functional Classification System

The sub-allocation to the MAG region from the American Recovery and Reinvestment Act (ARRA) requires projects to adhere to the requirements established in the Surface Transportation Program (STP). As such, ARRA funded projects must be located on a facility that is classified as an urban collector or rural major collector or higher in the federal functional classification hierarchy. Toward that end, MAG member agencies have requested the update of the federal functional classification of specific roadways. On May 27, 2009, the Transportation Review Committee (TRC) recommended approval of the updates for Vulture Mine Road, Pecos Road, and Estrella Drive. Since the TRC met, an additional request was received to classify Norterra Parkway. On June 10, 2009, the Management Committee recommended approval of the four requests. Since the Management Committee meeting, an additional request was received to classify Maricopa Road. Please refer to the enclosed material.

*5E. PM-10 Pave Unpaved Road Projects

The MAG Regional Transportation Plan (RTP) allocates all future MAG federal funds to specific modes and, in some cases, identifies specific projects for the funds. For PM-10 Pave Unpaved Road projects, the RTP and MAG Transportation Improvement Program (TIP) identify the funding source of Congestion Mitigation and Air Quality

5D. Approval of updates to the federal functional classification system as identified in the attached material.

5E. Approval of a list of PM-10 Pave Unpaved Road projects to be programmed with Congestion Mitigation and Air Quality (CMAQ) funds in 2011 and 2012, and to be included in the Draft FY 2010-2014 MAG Transportation Improvement Program.

(CMAQ) but do not specify individual projects. Requests for CMAQ funds expected to be available for PM-10 Pave Unpaved Road projects for 2011 and 2012 have been received, reviewed by the Street Committee, and ranked by the Air Quality Technical Advisory Committee (AQTAC). The Transportation Review Committee and the Management Committee recommended PM-10 Pave Unpaved projects in 2011 and 2012 to be programmed with CMAQ funds which are shown in the attached tables.

- *5F. Appointment of Mayor John Lewis, Town of Gilbert, to Serve as One of the Seven Largest Cities/Towns Elected Officials and Councilwoman Peggy Neely to Serve as the Central City Elected Official on the Transportation Policy Committee

The composition of the Transportation Policy Committee (TPC), established by the Regional Council on April 24, 2002, includes elected officials from the seven largest cities/towns and the Central City (Phoenix). In June 2008 the Regional Council appointed the list of TPC members. Since that time, the Town of Gilbert seat has become vacant. Mayor John Lewis from the Town of Gilbert, has expressed interest in serving as Gilbert's representative on the TPC. On June 17, 2009, Councilwoman Maria Baier, the Central City elected official on the TPC, announced her resignation from the Phoenix City Council. The Mayor of the City of Phoenix has requested that Councilwoman Peggy Neely be appointed to fill the Phoenix seat on the TPC. The appointments of Mayor John Lewis as one of the seven largest cities/towns elected officials and Councilwoman Peggy Neely as the Central City elected official to the TPC by the Regional Council are requested. Please refer to the enclosed material.

- 5F. Appointment of Mayor John Lewis as the one of the seven largest cities/towns elected officials and Councilwoman Peggy Neely to serve as the Central City elected official on the Transportation Policy Committee.

AIR QUALITY ITEMS

- *5G. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative

- 5G. Consultation.

modification to the fiscal year (FY) 2008-2012 MAG Transportation Improvement Program (TIP). The proposed amendment involves several projects, including transit projects for Avondale and Phoenix and new federal Safe Routes to School projects located in Phoenix and Gilbert for FY 2010. The proposed administrative modification involves several projects, including minor revisions to transit projects for Phoenix, and Arizona Department of Transportation projects on State Route 88, Loop 101 Pima Freeway, and Loop 202 Red Mountain Freeway. The amendment includes projects that are exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. In addition, since the Management Committee meeting, a new Valley Metro transit project for operating assistance (VMT09-814T), and Federal FY 2009 Interim Year End Closeout projects have been added. Comments on the conformity assessment are requested by June 24, 2009. Please refer to the enclosed material.

*5H. New Finding of Conformity for the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update, As Amended

On April 22, 2009, the MAG Regional Council approved a proposed amendment to add Stage One of the Phoenix Sky Harbor Automated Train System (Sky Train) to the fiscal year (FY) 2008-2012 MAG Transportation Improvement Program (TIP) and MAG Regional Transportation Plan (RTP) 2007 Update for the necessary air quality conformity analysis. MAG has conducted a regional emissions analysis for the proposed amendment. The results of the regional emissions analysis for the proposed amendment, when considered together with the TIP and RTP as a whole, indicate that the transportation projects will not contribute to violations of federal air quality standards. Any comments on the amendment and finding of conformity are requested by June 19, 2009, following a 30-day public review period. Please refer to the enclosed material.

5H. Approval of the new Finding of Conformity for the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update, as amended.

GENERAL ITEMS***5I. Resource Maps - Part of Regional Heat Relief Planning Efforts**

The Maricopa Association of Governments has developed two maps of resources to help make water and shade available to vulnerable populations during the hot summer months. This activity supports regional heat relief activities. The first map shows where water hydration stations and refuge locations are located throughout the county, or where people in need can go for water and shade. The second map shows water collection and donation sites in the region. Many heat-relief efforts have been added since last year to prevent people from dying from heat-related illnesses. This item is presented to alert member agencies to resources available throughout the summer months and to solicit assistance in making these resources available. Please refer to the enclosed material.

5I. Information and discussion.

ITEMS PROPOSED TO BE HEARD**TRANSPORTATION ITEMS****6. Interim MAG Closeout - Federal Fiscal Year (FFY) 2009**

The interim closeout has established the availability of \$28.7 million in unobligated MAG federal funds for the current federal fiscal year (FFY). In addition, there may be additional funds through redistributed Obligation Authority (OA); generally, states and Metropolitan Planning Organizations are notified of funding availability in late July to mid August, but have been notified as late as mid September. By May 19, 2009, member agencies submitted requests to defer or delete federal funds from projects for approximately \$14 million. On May 27, 2009, the MAG Regional Council approved \$10.6 million of requests for project deferrals. There are an additional \$3.4 million of requests to defer or remove federal funds from projects being heard at the May - June committee cycle. The Transportation Review Committee (TRC)

6. Approval of additional projects to be deferred from FFY 2009 to FFY 2010 or later, approval of additional projects requesting removal of federal funds, approval on priorities for utilizing MAG federal funds, which become available through the FFY 2009 Closeout Process, and make the necessary amendments and modifications to the FY 2008-2012 MAG Transportation Improvement Program, and as necessary to the Regional Transportation Plan 2007 Update.

recommended approval of the new deferral requests on May 28, 2009. Please see Table A for information about requests to defer projects or remove federal funding. Member agencies have submitted project requests for FFY 2009 MAG Closeout in the amount of \$79.6 million. The TRC met on June 8, 2009 and recommended projects to be funded through the FFY 2009 MAG Closeout. All projects submitted and the TRC recommendations for funding are explained in Table B. The projects in Table B are listed by the closeout priorities, and then cost effectiveness. Some projects may not have a cost effectiveness score; this does not mean they are 'ranked' low. The Management Committee concurred with TRC's recommendations. Adjustments were made to projects LPK08-801 and MMA09-610 to correct a clerical error that was discovered after the Management Committee meeting. Please refer to the enclosed material.

7. Transportation Planning Update - Proposition 400 Regional Freeway Program

The Regional Council will receive an update on the strategies identified by MAG staff to address the funding gap in the Regional Freeway Program. Topics covered within this presentation include an update on cost saving proposals in the SR-202L/South Mountain Freeway and SR-303L corridors. The update will conclude with a presentation on overall strategies and scenarios for meeting the Regional Freeway funding gap, based on the corridor-specific cost savings, data collected from the Central Phoenix Peer Review Group, discussions with ADOT and their Management Consultants, and MAG staff recommendations.

8. Appointment(s) of Position(s) of Chair and Vice Chair of the Transportation Policy Committee

On June 25, 2008, the Regional Council appointed the members and officers of the Transportation Policy Committee (TPC). According to the composition of the TPC that was approved by the Regional Council, the TPC

7. Information and discussion.

8. Appointment(s) of the position(s) of Chair and Vice Chair of the Transportation Policy Committee.

is chaired by an elected official and appointed by the Regional Council and the members and officers serve a two-year term. Mayor Steve Berman from the Town of Gilbert was elected Chair of the TPC and Mayor Marie Lopez Rogers was elected Vice Chair. Due to the recent elections, a vacancy has occurred in the chair position. Due to this vacancy, a chair and potentially a vice chair need to be appointed by the Regional Council at the June 24, 2009 Regional Council meeting. On June 4, 2009, a memorandum was sent to Regional Council members regarding the appointment(s) of the position(s) of Chair and Vice Chair. Please refer to the enclosed material.

GENERAL ITEMS

9. Election of Regional Council Officers and Executive Committee Members

On May 27, 2009, the MAG Nominating Committee recommended a slate of officers for 2009-2010. The MAG officer positions are Chair, Vice Chair and Treasurer. In accordance with the MAG Nomination Process, three At-Large members were also nominated to serve on the Executive Committee. According to the MAG Nomination Process, the Past Chair of the Regional Council also serves on the Executive Committee. Please refer to the enclosed material.

10. Legislative Update

An update will be provided on legislative issues of interest.

11. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

9. Election of the Regional Council officers: Chair, Vice Chair and Treasurer, and the three At-Large Members as members of the Executive Committee. According to the MAG Nomination Process, the Past Chair of the Regional Council also serves on the Executive Committee.

10. Information, discussion and possible action.

11. Information.